

**COUNCIL MEETING RECORD**  
**271<sup>st</sup> Session of the**  
**Pacific Fishery Management Council**  
**April 1-7, 2023**  
 Crowne Plaza Foster City – San Mateo  
 1221 Chess Drive, Foster City, CA 94404

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## INTRODUCTION

This document contains or identifies the various elements, documents, and sources comprising the complete and official record of Council meeting discussions and actions. In addition to the Meeting Summary, which follows this introductory section (see #7 below), it includes information or references that serve as the functional detailed minutes for this Council meeting as required by §302(i)(2)(E) of the Magnuson-Stevens Act. The full record is maintained at the Council office, is available on the Council website (<http://www.pcouncil.org/>) or upon request from the Council office, and consists of the following:

1. **Meeting Notice and Proposed Agenda** – These documents are available on the Council Website prior to and following each meeting at <http://www.pcouncil.org/>.
2. **Attendance Records** – These documents are available for the Council meeting and each advisory body meeting by request from the Council office.
3. **All Documents, Reports, and Presentations for Council Consideration** – These items include (1) all documents produced or received for the meeting briefing book, validated by a label assigned by the Council Secretariat and distributed to Council Members; (2) written public comments received at the Council meeting in accordance with agenda labeling requirements; and (3) electronic material or handout materials used in presentations to Council Members during the open session. They are available from links in the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
4. **Council Decisions Summary Document** – This document is distributed shortly after each Council meeting. It provides very brief descriptions of most key Council decisions and is available at <https://www.pcouncil.org/council-meetings/previous-meetings/> and also provided by agenda item in the Meeting Summary of this document.
5. **Draft or Final Decision Documents Finalized after the Council Meeting** – Documents such as Environmental Impact Statements or Environmental Assessments are available on the Council website as they are completed.
6. **Gavel-to-Gavel Audio Recordings and Summary Transcripts** – These recordings contain the testimony, presentations, discussions, and actions occurring at the meeting. For additional reference, verbatim transcripts of Council Actions are available on the Council website. The recordings and transcripts may be accessed from the links contained within the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
7. **Meeting Summary** (immediately follows this section) – The Meeting Summary lists, in agenda item order, the briefing book documents, reports, presentations, and Council motions and actions, including a brief summary from the Council Decisions Summary Document for each agenda item. It constitutes the meeting record formally approved by the Council. Links to the audio recordings are annotated by agenda item and may also be accessed at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
8. **Voting Log** – The voting log lists, in Agenda order, the summarized Council motions and actions for each agenda item that took place during the meeting.

## MEETING SUMMARY

### A. Call to Order

#### 1. Opening Remarks – Marc Gorelnik, Chair

Mr. Marc Gorelnik, Council Chair, called the 271<sup>st</sup> meeting of the Pacific Fishery Management Council (Council) to order at 9:00 a.m. on April 2, 2023. A closed session was held before this open session to discuss litigation and personnel matters.

#### 2. Roll Call – Merrick Burden

##### Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Scott Rumsey Mr. Ryan Wulff, designee Ms. Susan Bishop, designee Ms. Maggie Sommer, designee Mr. Josh Lindsay, designee
Alaska State Official:	Ms. Dani Evenson, nonvoting designee
Washington State Official:	Mr. Kyle Adicks, designee Ms. Heather Hall, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Butch Smith
Oregon State Official:	Dr. Caren Braby, designee Mr. John North, designee Ms. Lynn Mattes, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Mr. John Ugoretz, designee Ms. Briana Braby, designee Ms. Caroline McKnight, designee
California Obligatory:	Ms. Corey Ridings
Idaho State Official:	Mr. Virgil Moore, designee
Idaho Obligatory:	Mr. Pete Hassemer
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson Mr. Robert Dooley Mr. Brad Pettinger, Vice-Chair Mr. Marc Gorelnik, Chair
U.S. Coast Guard:	LCDR Brett Ettinger, nonvoting designee LT Devon Zych, nonvoting designee Mr. Chris German, nonvoting designee
<b>Absent from the Meeting:</b>	
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. State Department:	Mr. David Hogan, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Mike Clark, nonvoting designee

### **3. Agenda – Marc Gorelnik**

#### **a. Council Action: Approve Agenda**

**Motion 1:** Council approve the Council Meeting agenda as printed in Agenda Item A.3, April 2023, which includes the strikeout of Agenda Item E.7, Southern Resident Killer Whale Chinook Threshold and Other Fishery Management Plan Clarifications – Scoping.

**Phil Anderson/Bob Dooley** (Motion 1 carried unanimously)

### **4. Executive Director’s Report – Merrick Burden**

## **B. Open Comment Period**

### **1. Comments on Non-Agenda Items – Merrick Burden**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Discussion and Comment, as Appropriate**

## **C. Habitat Issues**

### **1. Current Habitat Issues – Kerry Griffin**

- a. Report of the Habitat Committee – Correigh Greene**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Consider Habitat Committee Report and Recommendations**

**Staff Summary:** None

## **D. Pacific Halibut Management**

### **1. Incidental Catch Limits for Salmon Troll Fishery - Final Action – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Final Incidental Pacific Halibut Catch Recommendations for 2023 and Early 2024 Non-Indian Salmon Fisheries**

**Motion 2:** Council adopt the Option 1 catch limit for the 2023 salmon fishery as described in the Supplemental Salmon Advisory Subpanel Report under Agenda Item D.1.a, April 2023.

(Option 1) Open May 16, 2023, through the end of the 2023 salmon troll fishery, and beginning April 1, 2024, until modified through inseason action or superseded by the 2024



management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Heather Hall/Butch Smith (Motion 2 carried unanimously)

**Staff Summary:** The Council adopted final incidental halibut catch limits as follows:

Open May 16, 2023, through the end of the 2023 salmon troll fishery, and beginning April 1, 2024, until modified through inseason action or superseded by the 2024 management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

## **E. Salmon Management**

### **1. National Marine Fisheries Service Report – Robin Ehlke**

- a. Regulatory Activities – Susan Bishop**
- b. Fisheries Science Center Activities – Steve Lindley**
- c. Reports and Comments of Management Entities and Advisory Bodies**
- d. Public Comment**
- e. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** None

### **2. Tentative Adoption of 2023 Management Measures for Analysis - Robin Ehlke**

- a. Update of Estimated Impacts of March 2023 Alternatives – Michael O’Farrell**
- b. Summary of Public Hearings – Hearings Officers**
- c. Recommendations of the U.S. Section of the Pacific Salmon Commission – Phil Anderson**
- d. Recommendations of North of Cape Falcon Forum – Oregon, Washington, Tribes**
- e. Reports and Comments of Management Entities and Advisory Bodies**
- f. Public Comment**
- g. Council Action: Adopt Tentative 2023 Ocean Salmon Management Measures and any Necessary Harvest Specifications for Collation and Analysis**

**Motion 3:** Council to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented in Agenda Item E.2.e, Supplemental SAS Report 1, dated April 1, 2023 for STT collation and analysis.

Kyle Adicks/Marci Yaremko (Motion 3 carried unanimously)

**Motion 4:** Council adopt for STT analysis the following Treaty Troll salmon management measure.

- 50,000 Chinook and 60,000 coho
- The alternative consists of a May 1 – June 30 Chinook-directed fishery and a July 1 – September 15 all-species fishery. The Chinook quota should be evenly split between the two time periods.

Joe Oatman/Kyle Adicks (Motion 4 carried unanimously)

**Staff Summary:** None

**3. Clarify Council Direction on 2023 Management Measures – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Guidance and Direction**

**Staff Summary:** None

**4. Methodology Review Preliminary Topic Selection – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Preliminary Topics for 2023 Methodology Reviews**

**Staff Summary:** The Council supported the items for review submitted by the Model Evaluation Workgroup (MEW), Salmon Technical Team (STT), and the Scientific and Statistical Committee (SSC) including:

1. Consider technical modifications to the Sacramento River winter Chinook abundance forecast by examining whether an egg-to-fry covariate can improve forecast performance (assigned to National Marine Fisheries Service)
2. Review and consider improvements to methods used to model south of Falcon fisheries in Chinook Fishery Regulation Assessment Model (assigned to MEW)
3. Explore alternative forecast approaches for the Oregon Production Index Hatchery coho forecast (assigned Oregon Production Index Technical Team)
4. Explore alternative forecast approaches for the Sacramento Index (assigned to STT)
5. Fishery Regulation Assessment Model Documentation (assigned to MEW)

**5. Sacramento and Klamath River Fall Chinook Conservation Objectives Scoping – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Identify Issues to be Addressed and Provide Guidance on Process and Timeline**

**Staff Summary:** The Council requested that National Marine Fisheries Service, California Department of Fish and Wildlife, and Council staff develop a briefing paper outlining the potential pathways forward on a coordinated effort surrounding Klamath River salmon recovery following dam removal, and reevaluation of Sacramento fall Chinook conservation objectives. The Council asked that the paper consider resources available to help support a potential workgroup focused on Klamath River salmon, and a workshop to discuss Sacramento River fall Chinook. The Council is scheduled to consider this topic again in June 2023.

**6. Improvements to Southern Oregon/Northern California Coho Ocean Fishery Exploitation Rate Forecasts – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Consider Improvements and Provide Guidance on Process and Timeline**

**Staff Summary:** None

**7. Southern Resident Killer Whale Chinook Threshold and Other Fishery Management Plan Clarifications – Robin Ehlke - CANCELLED**

**8. Further Direction on 2023 Management Measures – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Guidance and Direction**

**Staff Summary:** None

**9. Klamath Dam Removal Update – Robin Ehlke**

- a. Status of the Klamath Dam Removal Project – Jim Simondet**
- b. Reports and Comments of Management Entities and Advisory Bodies**

**c. Public Comment**

**d. Council Action: Council Discussion**

**Staff Summary:** None

**10. 2023 Management Measures – Final Action – Robin Ehlke**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Adopt Final Management Measures for 2023 Ocean Salmon Fisheries**

**Motion 15:** Council to adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item E.10.a, Supplemental STT Report 1, April 6, 2023.

Joe Oatman/Kyle Adicks (Motion 15 carried unanimously)

**Motion 16:** Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6, 2023.

Kyle Adicks/Phil Anderson (Motion 16 carried unanimously)

**Motion 17:** Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6, 2023, including all season descriptions, minimum sizes, and requirements, definitions, restrictions, and exceptions.

John North/Christa Svensson (Motion 17 carried unanimously)

**Motion 18:** Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area from the Oregon/California border to the U.S./Mexico Border, as presented in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6, 2023.

Marci Yaremko/Corey Ridings (Motion 18 carried unanimously)

**Staff Summary:** The Council adopted management measures for 2023 ocean salmon fisheries and will transmit its recommendations to National Marine Fisheries Service for implementation by May 16, 2023. [Detailed management measures](#) and a [press release](#) are posted on the Council's webpage.

## **F. Administrative Matters**

### **1. Regional Implementation of the National Equity and Environmental Justice Strategy – Jim Seger**

- a. National Marine Fisheries Service Report**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Council Discussion and Guidance on Next Steps**

**Staff Summary:** The Council considered how it would engage with upcoming development of a regional implementation plan for the NMFS National Equity and Environmental Justice (EEJ) strategy and development of the NMFS Regional Geographic Strategy—the latter being a separate strategy with broader scope than the EEJ strategy. As next steps in pursuing EEJ, the Council discussed: compiling advisory body statements on EEJ; evaluating how EEJ issues have historically impacted West Coast fisheries and fishery management; and development of strategic partnerships to further pursue EEJ-related goals and objectives. The Council also agreed to appoint an ad-hoc EEJ committee to assist the Council in addressing EEJ issues and, in particular, to advise the Council on working with NMFS on the regional implementation plan and the geographic strategic plan (see Membership Appointments). These issues will next be taken up by the Council at its September 2023 meeting.

### **2. Council Meeting and Process Efficiencies – Merrick Burden**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action:**

**Staff Summary:** The Council considered a staff paper on the topic of Council and advisory body meeting formats, including remote, in-person, and hybrid approaches to meetings. The Council expressed interest in continuing to expand capabilities to reach audiences and stakeholders that are not able to attend Council meetings in person, and noted that the issue relates closely to future Council budget planning, as well as matters of Equity and Environmental Justice. The Council will take up this topic again in June.

### **3. North Pacific Fisheries Commission (NPFC) Update – Kit Dahl**

- a. Report of the NPFC – Rich Lincoln**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** None

#### **4. Marine Planning – Kerry Griffin**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Consider Marine Planning Committee Report and Provide Guidance**

**Staff Summary:** The Council directed staff to initiate a quick response letter to the Bureau of Ocean Energy Management (BOEM) reiterating the importance of a comprehensive cumulative impacts analysis of wind energy development on the entire U.S. West Coast. The Council also discussed the advisory body recommendations (from the Groundfish Advisory Subpanel ([GAP](#)) and the [Marine Planning Committee](#)) to urge BOEM to develop a programmatic Environmental Impact Statement (EIS) for the five California wind energy leases and suggested that BOEM strongly consider a programmatic approach to the required EISs.

#### **5. Legislative Matters – Merrick Burden**

- a. Report of the Legislative Committee – Dave Hanson**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Consider Legislative Committee Report and Recommendations**

**Motion 14:** Council accept the report of the Legislative Committee as shown in Agenda Item F.5.a, Supplemental LC Report 1, April 2023.

Phil Anderson/Christa Svensson (Motion 14 carried unanimously)

**Staff Summary:** The Council received a report from the Legislative Committee on several pieces of Federal and State legislation that may impact Council-managed fisheries. In addition, the Council considered a letter from Mr. Boomer Wright of the Oregon House of Representatives which requested Council input on Oregon HB 3382. The Council instructed staff to draft a letter in response to Mr. Wright's request.

#### **6. Membership Appointments and Council Operating Procedures – Kelly Ames**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures, As Appropriate**

**Motion 22:** Council appoint Mr. Mark Fina to the Processor position on the Coastal Pelagic Species Advisory Subpanel.

Phil Anderson/Corey Ridings (Motion 22 carried unanimously)

**Motion 23:** Council appoint Dr. Kayleigh Somers to the Observer Program position on the Groundfish Endangered Species Workgroup.

Ryan Wulff/Lynn Mattes (Motion 23 carried unanimously)

**Motion 24:** Council appoint Dr. Aaron Mamula to the Southwest Fisheries Science Center position on the Groundfish Management Team.

Ryan Wulff/Phil Anderson (Motion 24 carried unanimously)

**Motion 25:** Council adopt the changes to COP 9 as recommended by the CPSMT in Agenda Item F.6.a, Supplemental CPSMT Report 1, April 2023.

Caroline McKnight/Lynn Mattes (Motion 25 carried unanimously)

**Motion 26:** Council form an ad-hoc Equity and Environmental Justice (EEJ) committee to assist the Council in addressing EEJ issues and, in particular, to advise the Council on working with NMFS on the forthcoming EEJ Strategy Regional Implementation Plan and the Geographic Strategic Plan. The group includes a Tribal member, a member from each state, and a NMFS member: Mr. Joseph Oatman, Ms. Heather Hall, Ms. Christa Svensson, Mr. Virgil Moore, Ms. Corey Ridings, and a NMFS member.

Corey Ridings/Christa Svensson (Motion 26 carried unanimously)

**Staff Summary:** *Membership Appointments*

The following changes to the Council's membership roster were made at the April meeting:

*Council Officers, Members, and Designees*

- Pacific States Marine Fisheries Commission notified the Council that Dave Hanson will be retiring in April. Barry Thom will remain the primary designee for the Commission.

*Council Advisory Body Appointments for the 2022-2024 Term*

- Mark Fina was appointed to the Processor position on the Coastal Pelagic Species Advisory Subpanel.

*Council Advisory Body Agency Appointments*

- Dr. Kayleigh Somers was appointed to the Observer Program position on the Groundfish Endangered Species Workgroup.
- Dr. Aaron Mamula was appointed to the Southwest Fisheries Science Center position on the Groundfish Management Team.

*Solicitations for the 2022-2024 Terms*

The Council is [soliciting nominations](#) for the following positions for consideration at the June 20-27, 2023, Council meeting. Applications should be submitted by **5 P.M. on May 22, 2023**.

- [Coastal Pelagic Species Advisory Subpanel – Commercial – 1 Position](#).
- [Highly Migratory Species Advisory Subpanel – Commercial Troll – 1 Position](#)
- [Ecosystem Advisory Subpanel – Washington At-Large – 1 Position](#)

The Council also formed a new *ad hoc* committee to assist the Council in addressing equity and environmental justice (EEJ) issues and, in particular, to advise the Council on working with NMFS on the forthcoming EEJ Strategy Regional Implementation Plan and the Geographic Strategic Plan. Members of the EEJ Committee include:

- Joseph Oatman – Tribal seat
- Heather Hall – WA seat
- Christa Svensson – OR seat
- Virgil Moore – ID seat
- Corey Ridings – CA seat
- NMFS member

### ***Council Operating Procedures (COP)***

The Council adopted modifications to [COP 9, Schedule 3](#) for the Coastal Pelagic Species (CPS) management cycle, to reflect the correct assessment type in the assessment schedule for Pacific mackerel and to revise the timing of the Stock Assessment and Fishery Evaluation document to once per year. Additionally, edits related to Amendment 20 on CPS management categories were made.

- 7. Future Council Meeting Agenda and Workload Planning – Merrick Burden**
  - a. Reports and Comments of Management Entities and Advisory Bodies**
  - b. Public Comment**
  - c. Council Discussion and Guidance on Future Meeting and Workload Planning**

### **G. Groundfish Management**

- 1. National Marine Fisheries Service Report – Todd Phillips**
  - a. Regulatory Activities – Ryan Wulff**
  - b. Fisheries Science Center Activities – Craig Russell**
  - c. Reports and Comments of Management Entities and Advisory Bodies**
  - d. Public Comment**



**e. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** The Council received an overview from the West Coast Region on current rulemakings and the petition to list [sunflower sea star](#) (*Pycnopodia helianthoides*) as threatened under the Endangered Species Act. The Northwest Fishery Science Center briefed the Council regarding 2023 groundfish survey plans and provided revisions to the [Pacific Halibut Bycatch in U.S. West Coast Groundfish Fisheries, 2002 – 2021](#) report and associated [data](#).

**2. Trawl Cost Recovery Annual Report – Jim Seger**

**a. National Marine Fisheries Service Report – Ryan Wulff**

**b. Reports and Comments of Management Entities and Advisory Bodies**

**c. Public Comment**

**d. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** The Council received the annual trawl cost recovery report which provides an assessment of previous years' costs and a calculation for the current year cost recovery fees ([Agenda Item G.2.a, NMFS Report 1](#)). Additionally, National Marine Fisheries Service (NMFS) provided a report detailing its determination of costs using a 'with and without' comparison and its evaluation of the agency cost savings and efficiencies generated by the move to the trawl individual fishing quota program ([Agenda Item G.2.a, NMFS Report 2](#)). NMFS Report 2 concluded that the method "is consistent with statutory and regulatory cost recovery mandates, guidance in NMFS Catch Share Policy, and the Council's intent in establishing the cost recovery program."

**3. Trawl Catch Share Cost Project – Update – Jim Seger**

**a. Project Development Update – Darrell Brannan**

**b. Reports and Comments of Management Entities and Advisory Bodies**

**c. Public Comment**

**d. Council Action: Council Discussion and Guidance on Next Steps, as Appropriate**

**Staff Summary:** The Council reviewed the first draft of the trawl catch share cost report ([Agenda Item G.3, Attachment 1](#)) being developed by Mr. Darrell Brannan. The Council requested that as Mr. Brannan continues work that he explore additional ways to reach out and collect industry thoughts and focus on program costs related to design elements that the Council might be able to adjust in upcoming deliberations. NMFS will be providing funds for a second year of this project, to start after the final first year report is provided for the September Council meeting.

**4. Inseason Adjustments – Final Action – Todd Phillips**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Adopt Final Inseason Adjustments for 2023**

**Staff Summary:** None

**5. Sablefish Gear Switching – Check-in and Refine the Range of Alternatives – Jim Seger & Jessi Doerpinghaus**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Consider Refinement to the Range of Alternatives Adopted for Analysis and Provide Guidance on Next Steps**

**Motion 9:** Council to instruct staff to discontinue work on this action.

Corey Ridings/Christa Svensson (Motion 9 failed; Mr. Anderson, Mr. Smith, Mr. Dooley, Mr. Niles, Mr. Oatman, Mr. Pettinger, Ms. Mattes and Mr. Gorelnik voted no, Ms. Sommer abstained)

**Motion 10:** Council add an option to Alternative 1 that drops all qualification criteria but would involve maintaining sablefish North QP as eligible to fish with any gear throughout the year until 29 percent of the sablefish North QP is taken or is projected to be taken by fixed gear vessels. This does not involve the quota conversion step but would only require inseason prohibition of fixed gear use of Northern, sablefish Northern QP.

Christa Svensson/Corey Ridings (Motion 10 carried; Mr. Pettinger, Ms. Yaremko, Mr. Dooley, Mr. Smith, and Mr. Moore voted no)

**Motion 11:** Council restore the gear-specific QP alternative that was removed from the ROA last November in a simplified form, as follows:

- Individual permit owners who qualify as legacy participants would be designated as legacy participants and their control date holdings identified. The qualifying criteria would be as specified in the current version of Alternative 2. Annually, QP issued to QS accounts owned by legacy participants would be issued as any-gear QP for QS in amounts up to what the legacy participant owned as of the control date. For QS in excess of a legacy participant's control date holdings, trawl-only QP and any-gear QP would be issued in the same proportions as for accounts not owned by legacy participants.
- QP's issued annually for the remainder of the QS accounts would be designated as any-gear and trawl-only QP's in a proportion such that the total any-gear QPs issued each year would be 29 percent of the trawl allocation.
- All QS and QP would remain fully transferable.

Phil Anderson/Butch Smith (Motion 11 carried; Ms. Yaremko voted no)

**Motion 12:** Council

1. Make the following refinements and clarifications to Alternative 1:

- Drop the Fishermen's Collective Marketing Act aspect of how registered co-ops could qualify under the Gear-Switching Participant Criteria.

- Change the First Receiver suboption, Gear-Switching Participant Criteria to require that the first receiver must have made the majority of its purchases from the IFQ fishery from fixed gear vessels (based on exvessel revenue).
  - Clarify that the ownership-in-common requirement between a First Receiver and a Quota Share Account owning entity should be the same as that for a Vessel Account owner and Quota Share Account owning entity.
2. Make those refinements and clarifications recognizing that it would likely be best to defer close attention to the details of how they would be implemented until the Council identifies Alternative 1 as a PPA or determines that better understanding of the details would benefit the choice of a PPA.
  3. In that same recognition about the relative value of implementation details to the Council's main policy deliberations, request that the analysis:
    - Continue to consider the individual and collective approaches.
    - Consider how to preserve the Council's option to issue Adaptive Management Program (AMP) quota as any gear eligible under Alternative 1 if the Council chooses to develop the AMP in the future.

Corey Niles/Corey Ridings (Motion 12 carried; Mr. Pettinger, Ms. Yaremko, and Mr. Dooley voted no)

**Motion 13: Council:**

1. Add to Alternative 2 a suboption to qualify as a legacy participant you must have landed 30,000 pounds in each of three years prior to the control date, owned QS as of and since the control date, and owned a vessel that gear switched as of and since the control date.
2. Add to Alternative 2 a suboption that provides for the expiration of any gear quota share upon the transfer to a new owner or owner added.
3. Suspend further analytical work on Alternative 3.

Phil Anderson/Bob Dooley (Motion 13 carried; Ms. Yaremko voted no)

**Motion 19:** Council to reconsider action taken under G.5.

Heather Hall/Butch Smith (Motion 19 carried; Ms. McKnight abstained)

**Motion 20:** Council to amend the Anderson motion as follows:

1. Add to ~~Alternative 2~~ new QP alternative a suboption to qualify as a legacy participant you must have landed 30,000 pounds in each of three years prior to the control date, owned QS as of and since the control date, and owned a vessel that gear switched as of and since the control date.
2. ~~Add to Alternative 2 a sub-option that provides for the expiration of any gear quota share upon the transfer to a new owner or owner added.~~ Add to new QP alternative, the expiration option described under the "New Alternative" section in Agenda Item G.5.a, Supplemental GAP Report 2.
3. Suspend further analytical work on Alternative 3 and remove Alternative 2 from the range of alternatives.

Heather Hall/Butch Smith (Motion 20 carried; Ms. McKnight abstained)

**Staff Summary:** The Council continued its work on the range of trawl catch share fishery alternatives that would limit gear switching for sablefish north of 36° N. lat. After the Council

completed its actions, in addition to No Action, the range included: Action Alternative 1, gear-specific quota shares (QS; trawl-only and any-gear QS); Action Alternative 2, gear-specific quota pounds (QP; without creating gear-specific QS); and Action Alternative 3, a gear-switching season that would end when it is projected that 29 percent of the trawl allocation of northern sablefish is taken by gear-switching vessels. A gear-specific QS alternative that would have had a very narrow distribution of any-gear QS (the old Alternative 2, as described in [Agenda Item G.5, Attachment 2](#)) was removed from the range. Additionally, work will not continue on a gear-switching endorsement approach to limiting gear-switching (the old Alternative 3). Qualification options from that alternative are now in the new Alternative 2, which also includes expiration of gear-switching opportunities for historic participants as they leave the fishery. At its June meeting, the Council plans to make its initial selection of a preliminary preferred alternative (PPA). At its November 2023 meeting it will work to refine the initial PPA, and final action is scheduled for March 2024.

## **6. Considerations for a Sablefish Assessment Update – Marlene A. Bellman**

### **a. Reports and Comments of Management Entities and Advisory Bodies**

### **b. Public Comment**

### **c. Council Action: Consider Adding a Sablefish Assessment Update to the List of Stocks Assessed in 2023 and Provide Guidance on Process**

**Motion 21:** Council add a sablefish stock assessment update to the current groundfish stock assessment cycle.

Heather Hall/Lynn Mattes (Motion 21 carried; Ms. McKnight voted no)

**Staff Summary:** The Council received an overview from the Northwest Fisheries Science Center on the status of age reading to support 2023 groundfish stock assessments. In addition to those planned in 2023, considerations for a sablefish stock assessment update were discussed. The Council approved a sablefish assessment update for 2023 with provisions to accommodate additional workload.

## **H. Coastal Pelagic Species Management**

### **1. National Marine Fisheries Service Report – Jessi Doerpinghaus**

#### **a. Regulatory Activities – Josh Lindsay**

#### **b. Fisheries Science Center Activities – Annie Yau**

#### **c. Reports and Comments of Management Entities and Advisory Bodies**

#### **d. Public Comment**

#### **e. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** None

**2. Exempted Fishing Permits for 2023-2024 – Final Action – Jessi Doerpinghaus**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Adopt Final EFP Recommendations for 2023-2024 Fisheries**

**Motion 5:** Council adopt the exempted fishing permit proposals in Agenda Item H.2 in Attachments 1 and 2 for consideration of harvest amounts under Agenda Item E.3.

Briana Brady/Bob Dooley (Motion 5)

**Amendment 1:** Change “Agenda Item E.3” to “Agenda Item H.4”

Caren Braby/Christa Svensson (Amendment 1 carried unanimously)

Motion 5 carried unanimously

**Staff Summary:** The Council approved two Exempted Fishing Permit proposals ([Attachment 1](#) and [Attachment 2](#)) designed to support stock assessments for Pacific sardine. This includes a total amount of up to 670 mt for nearshore aerial surveys and directed biological sampling.

**3. Fishery Management Plan (FMP) Housekeeping – Final Action – Jessi Doerpinghaus**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Adopt Final FMP Language**

**Motion 6:** Council adopt the FMP changes as described in Agenda Item H.3, Attachment 3 with the modifications recommended in Supplemental CPSMT Report 2.

Briana Brady/Corey Ridings (Motion 6 carried unanimously)

**Staff Summary:** The Council adopted final FMP language, pending approval of Amendment 20 on management categories, as outlined in [Attachment 3](#) and including the modifications in [Supplemental CPSMT Report 2](#).

**4. Sardine Harvest Specifications and Management Measures for 2023-2024 – Final Action – Jessi Doerpinghaus**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Adopt Final Harvest Specifications and Management Measures for the 2023-2024 Pacific Sardine Fishery**

**Motion 7:** Council adopt:

OFL	5,506 mt
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P* Buffer	0.4
ABC <sub>Tier 2</sub>	3,953 mt
ACL	3,953 mt
ACT	3,600 mt

1. Exempted fishing permit amounts for Agenda Item H.2
  - a. Attachment 1 – 150 mt
  - b. Attachment 2 – 520 mt
2. Incidental landing limit in CPS fisheries of 20 percent.
3. If landings in the live bait fishery attain 2,500 mt, a per landing limit of one mt of Pacific sardine per trip will apply to the live bait fishery.
4. If the ACT of 3,600 mt is attained, a per trip limit of one mt of Pacific sardine applies to all CPS fisheries.
5. An incidental per landing allowance of two mt of Pacific sardine in non-CPS fisheries until the ACL is reached.

Briana Brady/Caren Braby (Motion 7 carried unanimously)

**Staff Summary:** The Council adopted the following harvest specifications and management measures for the 2023-2024 Pacific sardine season.

OFL	5,506 mt
P* Buffer	0.4
ABC <sub>Tier 2</sub>	3,953 mt
ACL	3,953 mt
ACT	3,600 mt

In addition, the Council recommended the requested EFP amounts from Agenda Item H.2.

Accountability measure recommendations include:

1. Incidental landing limit in coastal pelagic species (CPS) fisheries of 20 percent.

2. If landings in the live bait fishery attain 2,500 mt, a per-landing limit of 1 mt of Pacific sardine per trip will apply to the live bait fishery.
3. If the annual catch target (ACT) of 3,600 mt is attained, a per-trip limit of 1 mt of Pacific sardine applies to all CPS fisheries.
4. An incidental per-landing allowance of two mt of Pacific sardine in non-CPS fisheries until the annual catch limit (ACL) is reached.

## **5. Coastal Pelagic Species Essential Fish Habitat Amendment – Kerry Griffin**

### **a. Reports and Comments of Management Entities and Advisory Bodies**

### **b. Public Comment**

### **c. Council Action: Adopt a Range of Alternatives and Preliminary Preferred Alternative, as Appropriate**

**Motion 8:** Council adopt Alternative 1 with Salish Sea extension (as recommended by the Habitat Committee and CPS Management Team) as the Range of Alternatives and 1b as the Preliminary Preferred Alternative under Agenda Item H.5, Attachment 1.

Caren Braby/Bob Dooley (Motion 8 carried unanimously)

**Staff Summary:** The Council adopted a Range of Alternatives (ROA) that included all the potential CPS essential fish habitat (EFH) modifications described under Alternative 1, with Alternative 1b as the Preliminary Preferred Alternative. The Council endorsed the Habitat Committee’s recommendation to include U.S. waters of the Salish Sea as EFH for market squid and krill. Alternative 2 addressing market squid Habitat Areas of Particular Concern was not included in the range of alternatives and thus will not be moved forward for further consideration. The Council is scheduled to take final action at its June meeting in Vancouver, Washington.

## **INFORMATIONAL REPORTS**

[Informational Report 1](#): 2022 Trawl Rationalization Compliance Summary (NMFS OLE, March 2023)

[Informational Report 2](#): NOAA Fisheries Proposes Listing Sunflower Sea Star as Threatened under Endangered Species Act

[Informational Report 3](#): NOAA Fisheries Seeks Public Comment on Enforcement Priorities for 2023–2027

[Supplemental Informational Report 4](#): NMFS West Coast Geographic Strategic Plan

[Supplemental REVISED Informational Report 5](#): In Loving Memory, Michele Longo Eder

## **VOTING LOG**

**Motion 1:** Council approved the Council Meeting agenda as printed in [Agenda Item A.3, April 2023](#), which includes the strikeout of Agenda Item E.7, Southern Resident Killer Whale Chinook Threshold and Other Fishery Management Plan Clarifications – Scoping.

Phil Anderson/Bob Dooley (Motion 1 carried unanimously)

**Motion 2:** Council adopt the Option 1 catch limit for the 2023 salmon fishery as described in the [Supplemental Salmon Advisory Subpanel Report](#) under Agenda Item D.1.a, April 2023.

(Option 1) Open May 16, 2023, through the end of the 2023 salmon troll fishery, and beginning April 1, 2024, until modified through inseason action or superseded by the 2024 management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Heather Hall/Butch Smith (Motion 2 carried unanimously)

**Motion 3:** Council to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented in [Agenda Item E.2.e, Supplemental SAS Report 1](#), dated April 1, 2023 for STT collation and analysis.

Kyle Adicks/Marci Yaremko (Motion 3 carried unanimously)

**Motion 4:** Council adopt for STT analysis the following Treaty Troll salmon management measure.

- 50,000 Chinook and 60,000 coho
- The alternative consists of a May 1 – June 30 Chinook-directed fishery and a July 1 – September 15 all-species fishery. The Chinook quota should be evenly split between the two time periods.

Joe Oatman/Kyle Adicks (Motion 4 carried unanimously)

**Motion 5:** Council adopt the exempted fishing permit proposals in Agenda Item H.2 in Attachments [1](#) and [2](#) for consideration of harvest amounts under Agenda Item H.4.

Briana Brady/Bob Dooley (Motion 5 as amended, carried unanimously)

**Motion 6:** Council adopt the FMP changes as described in [Agenda Item H.3, Attachment 3](#) with the modifications recommended in [Supplemental CPSMT Report 2](#).

Briana Brady/Corey Ridings (Motion 6 carried unanimously)

**Motion 7:** Council adopt:

OFL	5,506 mt
P* Buffer	0.4
ABC <sub>Tier 2</sub>	3,953 mt
ACL	3,953 mt
ACT	3,600 mt

1. Exempted fishing permit amounts for Agenda Item H.2
  - a. [Attachment 1](#) – 150 mt
  - b. [Attachment 2](#) – 520 mt
2. Incidental landing limit in CPS fisheries of 20 percent.
3. If landings in the live bait fishery attain 2,500 mt, a per landing limit of one mt of Pacific



sardine per trip will apply to the live bait fishery.

4. If the ACT of 3,600 mt is attained, a per trip limit of one mt of Pacific sardine applies to all CPS fisheries.
5. An incidental per landing allowance of two mt of Pacific sardine in non-CPS fisheries until the ACL is reached.

Briana Brady/Caren Braby (Motion 7 carried unanimously)

**Motion 8:** Council adopt Alternative 1 with Salish Sea extension (as recommended by the [Habitat Committee](#) and [CPS Management Team](#)) as the Range of Alternatives and 1b as the Preliminary Preferred Alternative under [Agenda Item H.5, Attachment 1](#).

Caren Braby/Bob Dooley (Motion 8 carried unanimously)

**Motion 9:** Council to instruct staff to discontinue work on this action.

Corey Ridings/Christa Svensson (Motion 9 failed; Mr. Anderson, Mr. Smith, Mr. Dooley, Mr. Niles, Mr. Oatman, Mr. Pettinger, Ms. Mattes and Mr. Gorelnik voted no, Ms. Sommer abstained)

**Motion 10:** Council add an option to Alternative 1 that drops all qualification criteria but would involve maintaining sablefish North QP as eligible to fish with any gear throughout the year until 29 percent of the sablefish North QP is taken or is projected to be taken by fixed gear vessels. This does not involve the quota conversion step but would only require inseason prohibition of fixed gear use of Northern, sablefish Northern QP.

Christa Svensson/Corey Ridings (Motion 10 carried; Mr. Pettinger, Ms. Yaremko, Mr. Dooley, Mr. Smith, and Mr. Moore voted no)

**Motion 11:** Council restore the gear-specific QP alternative that was removed from the ROA last November in a simplified form, as follows:

- Individual permit owners who qualify as legacy participants would be designated as legacy participants and their control date holdings identified. The qualifying criteria would be as specified in the current version of Alternative 2. Annually, QP issued to QS accounts owned by legacy participants would be issued as any-gear QP for QS in amounts up to what the legacy participant owned as of the control date. For QS in excess of a legacy participant's control date holdings, trawl-only QP and any-gear QP would be issued in the same proportions as for accounts not owned by legacy participants.
- QP's issued annually for the remainder of the QS accounts would be designated as any-gear and trawl-only QP's in a proportion such that the total any-gear QPs issued each year would be 29 percent of the trawl allocation.
- All QS and QP would remain fully transferable.

Phil Anderson/Butch Smith (Motion 11 carried; Ms. Yaremko voted no)

**Motion 12:** Council

1. Make the following refinements and clarifications to Alternative 1:

- Drop the Fishermen's Collective Marketing Act aspect of how registered co-ops could qualify under the Gear-Switching Participant Criteria.
- Change the First Receiver suboption, Gear-Switching Participant Criteria to require that the first receiver must have made the majority of its purchases from the IFQ fishery from fixed gear vessels (based on exvessel revenue).

- Clarify that the ownership-in-common requirement between a First Receiver and a Quota Share Account owning entity should be the same as that for a Vessel Account owner and Quota Share Account owning entity.
2. Make those refinements and clarifications recognizing that it would likely be best to defer close attention to the details of how they would be implemented until the Council identifies Alternative 1 as a PPA or determines that better understanding of the details would benefit the choice of a PPA.
  3. In that same recognition about the relative value of implementation details to the Council's main policy deliberations, request that the analysis:
    - Continue to consider the individual and collective approaches.
    - Consider how to preserve the Council's option to issue Adaptive Management Program (AMP) quota as any gear eligible under Alternative 1 if the Council chooses to develop the AMP in the future.

Corey Niles/Corey Ridings (Motion 12 carried; Mr. Pettinger, Ms. Yaremko, and Mr. Dooley voted no)

**Motion 13: Council:**

1. Add to Alternative 2 a sub-option to qualify as a legacy participant you must have landed 30,000 pounds in each of three years prior to the control date, owned QS as of and since the control date, and owned a vessel that gear switched as of and since the control date.
2. Add to Alternative 2 a sub-option that provides for the expiration of any gear quota share upon the transfer to a new owner or owner added.
3. Suspend further analytical work on Alternative 3.

Phil Anderson/Bob Dooley (Motion 13 carried; Ms. Yaremko voted no)

**Motion 14:** Council accept the report of the Legislative Committee as shown in Agenda Item [F.5.a, Supplemental LC Report 1, April 2023](#).

Phil Anderson/Christa Svensson (Motion 14 carried unanimously)

**Motion 15:** Council to adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on [Agenda Item E.10.a, Supplemental STT Report 1, April 6, 2023](#).

Joe Oatman/Kyle Adicks (Motion 15 carried unanimously)

**Motion 16:** Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in [Agenda Item E.10.a, Supplemental STT Report 1, dated April 6, 2023](#).

Kyle Adicks/Phil Anderson (Motion 16 carried unanimously)

**Motion 17:** Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in [Agenda Item E.10.a, Supplemental STT Report 1 dated April 6, 2023](#), including all season descriptions, minimum sizes, and requirements, definitions, restrictions, and exceptions.

John North/Christa Svensson (Motion 17 carried unanimously)

**Motion 18:** Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area from the Oregon/California border to the U.S./Mexico Border, as presented in agenda item [E.10.a, Supplemental STT Report 1, dated April 6, 2023](#).

Marci Yaremko/Corey Ridings (Motion 18 carried unanimously)

**Motion 19:** Council to reconsider action taken under G.5.

Heather Hall/Butch Smith (Motion 19 carried; Ms. McKnight abstained)

**Motion 20:** Council to amend the Anderson motion as follows:

1. Add to ~~Alternative 2~~ new QP alternative a sub-option to qualify as a legacy participant you must have landed 30,000 pounds in each of three years prior to the control date, owned QS as of and since the control date, and owned a vessel that gear switched as of and since the control date.
2. ~~Add to Alternative 2 a sub-option that provides for the expiration of any gear quota share upon the transfer to a new owner or owner added.~~ Add to new QP alternative, the expiration option described under the “New Alternative” section in Agenda Item G.5.a, Supplemental GAP Report 2.
3. Suspend further analytical work on Alternative Three and remove Alternative 2 from the range of alternatives.

Heather Hall/Butch Smith (Motion 20 carried; Ms. McKnight abstained)

**Motion 21:** Council add a sablefish stock assessment update to the current groundfish stock assessment cycle.

Heather Hall/Lynn Mattes (Motion 21 carried; Ms. McKnight voted no)

**Motion 22:** Council appoint Mr. Mark Fina to the Processor position on the Coastal Pelagic Species Advisory Subpanel.

Phil Anderson/Corey Ridings (Motion 22 carried unanimously)

**Motion 23:** Council appoint Dr. Kayleigh Somers to the Observer Program position on the Groundfish Endangered Species Workgroup.

Ryan Wulff/Lynn Mattes (Motion 23 carried unanimously)

**Motion 24:** Council appoint Dr. Aaron Mamula to the Southwest Fisheries Science Center position on the Groundfish Management Team.

Ryan Wulff/Phil Anderson (Motion 24 carried unanimously)

**Motion 25:** Council adopt the changes to COP 9 as recommended by the CPSMT in Agenda Item [F.6.a, Supplemental CPSMT Report 1, April 2023](#).

Caroline McKnight/Lynn Mattes (Motion 25 carried unanimously)

**Motion 26:** Council form an ad-hoc Equity and Environmental Justice (EEJ) committee to assist the Council in addressing EEJ issues and, in particular, to advise the Council on working with NMFS on the forthcoming EEJ Strategy Regional Implementation Plan and the Geographic Strategic Plan. The group includes a Tribal member, a member from each state, and a NMFS

member: Mr. Joseph Oatman, Ms. Heather Hall, Ms. Christa Svensson, Mr. Virgil Moore, Ms. Corey Ridings, and a NMFS member.  
Corey Ridings/Christa Svensson (Motion 26 carried unanimously)

**ADJOURN**

The Council meeting adjourned on Friday, April 7, 2023, at 11:44 a.m.



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Marc Gorelnik  
Council Chair

August 10, 2023  
Date